

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CRAFTON MOORE,

Plaintiff,

v.

STATE FARM FIRE AND
CASUALTY COMPANY

Defendant.

Case No.: 18-CV-00539

RULE 26(f) JOINT DISCOVERY PLAN

1. Pursuant to Rule 26(f), Fed. R. Civ. P., and the Court's Order, Plaintiff's counsel, Nathaniel Cade Jr., and Defendant's counsel, Mark D. Malloy, conferred on the contents of this proposed discovery plan.

2. Pre-discovery disclosures. The parties by May 28, 2018, will exchange the information required by Fed. R. Civ. P. 26(a)(1); Supplementations are due as required and in accordance with the provisions of Rule 26(e).

3. Discovery plan. The Court previously granted State Farm's Motion to Bifurcate and Stay. As to the breach of contract claim, the parties jointly propose to the Court the following Discovery plan:

a. Discovery will be needed on the following subjects:

- i. The facts and circumstances related to the fire which occurred at the property on March 4, 2017;
- ii. The facts and circumstances related to Plaintiff's claim that he had secured a tenant for the property on March 2 or March 3, 2017.

- iii. Damages alleged by Plaintiff as result of State Farm's alleged breach of contract.
- b. With regard to the breach of contract claim, the parties propose the following dates for scheduling:
 - i. June 15, 2018 – deadline for amendment of pleadings.
 - ii. November 15, 2018 – deadline for non-expert discovery.
 - iii. January 15, 2019 – deadline for Plaintiff to name expert witnesses as provided by Fed. R. Civ. P. 26(a)(2)
 - iv. March 15, 2019 – deadline for Defendant to name expert witnesses as provided by Fed. R. Civ. P. 26(a)(2)
 - v. May 30, 2019 – deadline for dispositive motions to be filed.
 - vi. Depositions of Experts should be taken within 45 days of designation. Unless otherwise stipulated, disclosure of experts will include a report fully in compliance with Rule 26(a)(2)(B).
 - vii. Any motion challenging the qualifications of a designated expert must be made within 90 calendar days after the deposition of that expert.
- c. The parties anticipate that there will be discovery and production of electronically stored information ("ESI"). Measures have been taken by both parties to preserve ESI. The parties will work together to agree to procedures and costs of production of ESI. No issues have arisen to date related to production of ESI.
- d. No issues have arisen with regard to claims of privilege and/or work product. In the event that such an issue arises, the parties will work together to address before bringing the issue to the Court.

e. The parties do not believe there should be any limitations on discovery imposed, and that discovery can be governed by the Federal and Local Rules.

f. The parties do not believe there are any other issues to be addressed by the Court at this time.

Dated this 4th day of May, 2018.

CADE LAW GROUP LLC

Mailing Address:

P.O. Box 170887
Milwaukee, WI 53217
Phone: (414) 255-3802
Fax: (414) 255-3804

s/Nathaniel Cade, Jr.

Nathaniel Cade, Jr.
State Bar No: 1028115
nate@cade-law.com
Attorneys for Plaintiff, Crafton Moore

Dated this 4th day of May, 2018.

MEISSNER TIERNEY FISHER & NICHOLS S.C.

Mailing Address:

111 E. Kilbourn Avenue, 19th Floor
Milwaukee, WI 53202
Phone: 414-273-1300
Fax: 414-273-5840

s/Mark D. Malloy

Mark D. Malloy
State Bar No: 1035066
mdm@mtfn.com
Joshua J. Bryant
State Bar No: 1095175
jjb@mtfn.com
**Attorneys for Defendant,
State Farm Fire and Casualty Company**